

## Federal Emergency Management Agency

## § 61.5

INSURANCE ADMINISTRATION, STANDARD  
FLOOD INSURANCE POLICY

APPENDIX A(3) TO PART 61—FEDERAL EMER-  
GENCY MANAGEMENT AGENCY, FEDERAL  
INSURANCE ADMINISTRATION, STANDARD  
FLOOD INSURANCE POLICY

APPENDIX A(4) TO PART 61—FEDERAL EMER-  
GENCY MANAGEMENT AGENCY, FEDERAL  
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APPENDIX A(5) TO PART 61—FEDERAL EMER-  
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APPENDIX A(6) TO PART 61—FEDERAL EMER-  
GENCY MANAGEMENT AGENCY, FEDERAL  
INSURANCE ADMINISTRATION, STANDARD  
FLOOD INSURANCE POLICY

AUTHORITY: 42 U.S.C. 4001 *et seq.*; Reorga-  
nization Plan No. 3 of 1978, 43 FR 41943, 3  
CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31,  
1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

SOURCE: 43 FR 2570, Jan. 17, 1978, unless  
otherwise noted. Redesignated at 44 FR 31177,  
May 31, 1979.

### § 61.1 Purpose of part.

This part describes the types of prop-  
erties eligible for flood insurance cov-  
erage under the Program, the limits of  
such coverage, and the premium rates  
actually to be paid by insureds. The  
specific communities eligible for cov-  
erage are designated by the Adminis-  
trator from time to time as applica-  
tions are approved under the emer-  
gency program and as ratemaking  
studies of communities are completed  
prior to the regular program. Lists of  
such communities are periodically pub-  
lished under part 64 of this subchapter.

[43 FR 2570, Jan. 17, 1978. Redesignated at 44  
FR 31177, May 31, 1979, as amended at 48 FR  
39068, Aug. 29, 1983; 49 FR 4751, Feb. 8, 1984; 49  
FR 5621, Feb. 14, 1984]

### § 61.2 Definitions.

The definitions set forth in part 59 of  
this subchapter are applicable to this  
part.

### § 61.3 Types of coverage.

Insurance coverage under the Pro-  
gram is available for structures and  
their contents. Coverage for each may  
be purchased separately.

[43 FR 2570, Jan. 17, 1978. Redesignated at 44  
FR 31177, May 31, 1979, as amended at 48 FR  
39068, Aug. 29, 1983; 50 FR 36025, Sept. 4, 1985;  
51 FR 30309, Aug. 25, 1986; 58 FR 62424, Nov. 26,  
1993]

### § 61.4 Limitations on coverage.

All flood insurance made available  
under the Program is subject:

(a) To the Act, the Amendments  
thereto, and the Regulations issued  
under the Act;

(b) To the terms and conditions of  
the Standard Flood Insurance Policy,  
which shall be promulgated by the Ad-  
ministrator for substance and form,  
and which is subject to interpretation  
by the Administrator as to scope of  
coverage pursuant to the applicable  
statutes and regulations;

(c) To the specified limits of coverage  
set forth in the Application and Dec-  
larations page of the policy; and

(d) To the maximum limits of cov-  
erage set forth in § 61.6.

[43 FR 2570, Jan. 17, 1978. Redesignated at 44  
FR 31177, May 31, 1979, as amended at 48 FR  
39068, Aug. 29, 1983; 50 FR 36025, Sept. 4, 1985;  
53 FR 16277, May 6, 1988; 58 FR 62424, Nov. 26,  
1993]

### § 61.5 Special terms and conditions.

(a) No new flood insurance or renewal  
of flood insurance policies shall be  
written for properties declared by a  
duly constituted State or local zoning  
or other authority to be in violation of  
any flood plain, mudslide (i.e., mud-  
flow) or flood-related erosion area  
management or control law, regula-  
tion, or ordinance.

(b) In order to reduce the administra-  
tive costs of the Program, of which the  
Federal Government pays a major  
share, payment of the full policyholder  
premium must be made at the time of  
application.

(c) Because of the seasonal nature of  
flooding, refunds of premiums upon  
cancellation of coverage by the insured  
are permitted only if the insurer ceases  
to have an ownership interest in the  
covered property at the location de-  
scribed in the policy. Refunds of pre-  
miums for any other reason are subject  
to the conditions set forth in § 62.5 of  
this subchapter.

(d) Optional Deductibles, All Zones,  
are available as follows:

#### CATEGORY ONE—1 TO 4 FAMILY BUILDING AND CONTENTS COVERAGE POLICIES

Options	Building/contents
	\$500/\$500

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### CATEGORY ONE—1 TO 4 FAMILY BUILDING AND CONTENTS COVERAGE POLICIES—Continued

Options	Building/contents
	1,000/1,000 2,000/1,000 3,000/1,000 4,000/2,000 5,000/2,000

### CATEGORY TWO—1 TO 4 FAMILY BUILDING COVERAGE ONLY OR CONTENTS COVERAGE ONLY POLICIES

Options	Building	Contents <sup>1</sup>
	\$500 1,000 2,000 3,000 4,000 5,000	\$500 1,000 2,000 3,000 4,000 5,000

<sup>1</sup> Also applies to residential unit contents in other residential building or in multi-unit condominium building.

### CATEGORY THREE—OTHER RESIDENTIAL AND NONRESIDENTIAL POLICIES

Options	Policy combining building and contents	Single coverage only policy (either building or contents)
	\$500/\$500 1,000/1,000 2,000/2,000 3,000/3,000 4,000/4,000 5,000/5,000	\$500 1,000 2,000 3,000 4,000 5,000

### CATEGORY FOUR—RESIDENTIAL CONDOMINIUM BUILDING POLICIES

Options	Policy combining building and contents	Single coverage only policy (either building or contents)
	\$10,000/\$10,000 25,000/10,000	\$10,000 25,000

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NOTE: Any other combination may be submitted for rating to the NFIP.

(e) The standard flood insurance policy is authorized only under terms and conditions established by Federal statute, the program's regulations, the Administrator's interpretations and the express terms of the policy itself. Accordingly, representations regarding the extent and scope of coverage which are not consistent with the National Flood Insurance Act of 1968, as amended, or the Program's regulations, are void, and the duly licensed property or casualty agent acts for the insured and does not act as agent for the Federal Government, the Federal Emergency Management Agency, or the servicing agent.

[43 FR 2570, Jan. 17, 1978. Redesignated at 44 FR 31177, May 31, 1979, as amended at 47 FR 19140, May 4, 1982; 48 FR 39068, Aug. 29, 1983; 49 FR 33656, Aug. 23, 1984; 50 FR 36025, Sept. 4, 1985; 51 FR 30309, Aug. 25, 1986; 53 FR 16277, May 6, 1988; 53 FR 27991, July 26, 1988; 57 FR 19541, May 7, 1992; 58 FR 62424, Nov. 26, 1993]

### §61.6 Maximum amounts of coverage available.

(a) Pursuant to section 1306 of the Act, the following are the limits of coverage available under the emergency program and under the regular program.

	Regular program		
	Emergency program <sup>1</sup> first layer	Second layer	Total amount available
<b>Single Family Residential</b>			
Except in Hawaii, Alaska, Guam, U.S. Virgin Islands .....	\$35,000	\$215,000	\$250,000
In Hawaii, Alaska, Guam, U.S. Virgin Islands .....	50,000	200,000	250,000
<b>Other Residential</b>			
Except in Hawaii, Alaska, Guam, U.S. Virgin Islands .....	100,000	150,000	250,000
In Hawaii, Alaska, Guam, U.S. Virgin Islands .....	150,000	100,000	250,000
<b>Nonresidential</b>			
Small business .....	100,000	400,000	500,000
Churches and other properties .....	100,000	400,000	500,000
<b>Contents <sup>2</sup></b>			
Residential .....	10,000	90,000	100,000
Small business .....	100,000	400,000	500,000
Churches, other properties .....	100,000	400,000	500,000

<sup>1</sup> Only first layer available under emergency program.

<sup>2</sup> Per unit.